

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDTIVIA BRINSTON,

Plaintiff(s),

v.

ENTERPRISE LEASING COMPANY –
 WEST, LLC,

Defendant(s).

Case No. 2:24-cv-00507-JAD-NJK

Order

[Docket No. 20]

Pending before the Court is a proposed discovery plan, Docket No. 20, which is **DENIED** without prejudice for each of the reasons identified below.

First, the discovery plan fails to identify the date on which Defendant answered or first appeared. *But see* Local Rule 26-1(b)(1).

Second, the discovery plan fails to state the number of days sought for the discovery period. *But see id.*

Third, the discovery period seeks special scheduling without sufficient explanation. The presumptively reasonable discovery period is 180 days from the Defendant’s answer or first appearance. *See id.* The discovery plan seeks a longer discovery period based on the unelaborated assertion that “this is a purported class action and the Court has not yet ruled on Defendant’s Motion to Dismiss.” Docket No. 20 at 1. As to the latter explanation, it is well established that the filing of a motion to dismiss does not act to delay discovery. *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). As to the former explanation, no meaningful elaboration has been provided as to why that circumstance justifies the special schedule sought.

Fourth, the discovery plan seeks an extraordinary deadline for initial disclosures that is months from now, Docket No. 20 at 2, when the default deadline for initial disclosures is 14 days

1 after the Rule 26(f) conference, Fed. R. Civ. P. 26(a)(1)(C). No explanation is provided to support
2 the deadline sought.

3 An amended discovery plan must be filed by July 3, 2024.

4 IT IS SO ORDERED.

5 Dated: June 28, 2024

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Nancy J. Koppe
United States Magistrate Judge